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17	That Elett Well in Oldres, live.	
17	UNITED STATES DIST	TRICT COURT
18		
	SAN FRANCISCO	DIVISION
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20	IMDLICIT NETWODES INC	Case No. CV 09-1342 SI
20	IMPLICIT NETWORKS, INC.,	Case No. CV 09-1342 S1
21	Plaintiff,	STIPULATED MOTION FOR
	,	DISMISSAL OF COUNTERCLAIM
22	v.	OF SAP AMERICA, INC. WITH
23		PREJUDICE AND PROPOSED ORDER
23	INTERNATIONAL BUSINESS MACHINES	ORDER
24	CORPORATION, ORACLE CORPORATION, SAP AMERICA, INC., AND ADOBE	
2.5	SYSTEMS INCORPORATED,	
25	STSTEMS INCOME ON THEE,	
26	Defendants.	
	Detendants.	
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STIPULATION OF DISMISSAL OF COUNTERCLAIM OF SAP WITH PREJUDICE AND PROPOSED ORDER

1 The Plaintiff, Implicit Networks, Inc. ("Implicit"), and Defendant SAP America, Inc. 2 ("SAP"), pursuant to Rule 41 of the Federal Rules of Civil Procedure, hereby stipulate and 3 4 move for an order dismissing in their entirety all counterclaims asserted in this action by SAP 5 against Implicit WITH PREJUDICE, with each party to bear its own costs, expenses and 6 attorneys' fees. 7 Dated: May 21, 2009 HOSIE RICE LLP 8 /s/ Spencer Hosie 9 SPENCER HOSIE (CA Bar No. 101777) shosie@hosielaw.com 10 BRUCE WECKER (CA Bar No. 078530) bwecker@hosielaw.com 11 GEORGE F. BISHOP (CA Bar No. 89205) 12 gbishop@hosielaw.com HOSIE RICE LLP 13 188 The Embarcadero, Suite 750 San Francisco, CA 94105 14 (415) 247-6000 Tel. (415) 247-6001 Fax 15 16 EDWARD W. GOLDSTEIN egoldstein@gfpiplaw.com 17 CORBY R. VOWELL cvowell@gfpiplaw.com 18 MATTHEW J.M. PREBEG mprebeg@gfpiplaw.com 19 STEPHEN W. ABBOTT 20 sabbott@gfpiplaw.com GOLDSTEIN, FAUCETT & PREBEG, L.L.P. 21 1177 West Loop South, Suite 400 Houston, Texas 77027 22 (713) 877-1515 Tel. (713) 877-1145 Fax 23 24 Attorneys for Plaintiff IMPLICIT NETWORKS. INC. 25 26 27 28

STIPULATION OF DISMISSAL OF COUNTERCLAIM OF SAP WITH PREJUDICE AND PROPOSED ORDER

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		•
22	2	
23	I hereby attest pursuant to General Order 45.X.B. that concurrence in the electronic	
24	filing of this document has been obtained from the other signatories.	
25	5	
26	DATED: May 21, 2009	
27	<u>/s/ Spencer Hosie</u>	
		Spencer Hosie
28	STIPULATION OF DISMISSAL OF COUNTERCLAIM OF SAP WITH	2 CASE No. CV 09-1342 SI

PREJUDICE AND PROPOSED ORDER

IT IS SO ORDERED. DATED this ___ day of May, 2009.

Suran Illaton

HONORABLE SUSAN ILLSTON UNITED STATES DISTRICT JUDGE